

1595 U.S. PTO  
07/28/03

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR  
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)

Attorney Docket No. P65588US1

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a request for filing a [ X ] continuation or [ ] divisional application under 37 C.F.R. 1.53(b) of prior application number 09/581,086 filed June 9, 2000, for **PROCESS FOR PRODUCING BUTANETRIOL DERIVATIVE** by Inventor(s):

**Makoto HIRATA et al.**

Enclosed is a copy of the prior application including the declaration as originally filed.

1. [ X ] A Preliminary Amendment is enclosed.
2. [ ] Cancel claims for purposes of lessening filing fees.
3. [ X ] The filing fee is calculated as follows on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

Fee Calculation

Fee Category		Small Entity		Large Entity	
Excess Total Claims	Nº = 0	⊖ 20 = 0	⊖ \$9 = \$ **	⊖ \$18 = \$ **	
Excess Indptn. Claims	Nº = 0	⊖ 3 = 0	⊖ \$42 = \$ **	⊖ \$84 = \$ **	
[ ] Multiple Dependant Claim		⊖ \$140		⊖ \$280	\$ ***
Basic Filing		\$ 375		\$ 750	
Fee Total		\$ ***		\$ 750	

4. [ ] This application is filed without payment of the filing fee in accordance with 37 CFR 1.53(f).
5. [ X ] A check in the amount of **\$ 750.00** is enclosed.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358.

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6.  Amend the specification by inserting before the first line the sentence:  
This is a continuation of application no. 09/581,086 filed June 9, 2000, which is a 371 of PCT/JP 99/00355, filed 28 January 1999, published in Japanese.
7.  Small entity status:
  - a.  A small entity statement is enclosed.
  - b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - c.  Is no longer claimed.
8.  Priority under 35 USC 119 is claimed to application number 018802/1998 filed 30 January 1998, in Japan.
  - a)  Certified copy on file in prior application no. 09/581,086.
  - b)  Certified copy filed herewith.
9.  The prior application is assigned of record to Daiso Co., Ltd, 10-8, Edobari, 1-Chome, Nishi-ku, Osaka-shi, Osaka-fu, Japan.
10.  The Power of Attorney in the prior application is to at least one of the following:  
William E. Player, 31,409; John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007.
  - a)  The power appears in the original papers of the prior application.
  - b)  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
11.  Petition to extend the life of the above prior application to at least the date hereof  
(One box)       is being concurrently filed in  
NOTE:(must be)                that prior application.  
(X'd)                 was previously filed in that application.  
                         is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, the Commissioner is hereby petitioned to extend the time for response and authorized to charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. [ X ] Enclosed is a copy of each Information Disclosure Statement (IDS) and Form PTO 1449 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.
13. [ X ] Enclosed is a copy each Form PTO 892 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.
14. [ X ] Also enclosed:
  - (i) Correction in Spelling of Inventor's Name Under MPEP 605.04(b)
  - (ii) Copy of Decision On Petition Under 37 CFR 1.181, mailed February 28, 2002, in the prior application.

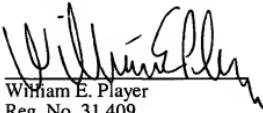
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Respectfully submitted,

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By:

  
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WEP/id  
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